

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NINTENDO OF AMERICA INC.,

Plaintiff(s),

V.

RYAN MICHAEL DALY,

Defendant(s).

CASE NO.
2:24-cv-00958-GJL

ORDER SETTING TRIAL, PRETRIAL DATES, AND ORDERING MEDIATION

Jury Trial is set for

Oct. 20, 2025 at 09:00 AM
in D Courtroom
Length of Trial: 3 Days

Joinder of Parties Deadline

Mar. 31, 2025

Expert Witness Disclosure/Report Deadline

Apr. 23, 2025

Discovery Deadline

Jun. 23, 2025

Dispositive Motions Deadline

July 22, 2025

39.1 Mediation Completion Deadline

Sep. 22, 2025

Motions in Limine Deadline (Motions will be ruled on at pre-trial conference.)

Sep. 22, 2025

Pre-trial Order Deadline

Oct. 8, 2025

1 Trial Brief, Proposed Voir Dire Questions
 2 and Jury Instructions Deadline

Oct. 8, 2025

3 Pretrial Conference

Oct. 14, 2025 at 10:00 AM
 4 in D Courtroom

5 These dates are set at the direction of the Court after reviewing the joint status
 6 report and discovery plan submitted by the parties. All other dates are specified in the
 7 Local Civil Rules. If any of the dates identified in this Order or the Local Civil rules fall
 8 on a weekend or federal holiday, the act or event shall be performed on the next business
 9 day. These are firm dates that can be changed only by order of the Court, not by
 10 agreement of counsel or parties. The Court will alter these dates only upon good cause
 11 shown; failure to complete discovery within the time allowed is not recognized as good
 12 cause.

13 If the trial date assigned to this matter creates an irreconcilable conflict, counsel
 14 must notify my Deputy Clerk, Kelly Miller, in writing within 10 days of the date of this
 15 Order and must set forth the exact nature of the conflict. A failure to do so will be
 16 deemed a waiver. Counsel must be prepared to begin trial on the date scheduled, but it
 17 should be understood that the trial may have to await the completion of other cases.

18 As required by CR 37(a), all discovery matters are to be resolved by agreement if
 19 possible. If there is a dispute the parties believe can be resolved through a phone
 20 conference with the court, the parties should contact Kelly Miller via e-mail at:
 21 kelly_miller@wawd.uscourts.gov as soon as possible. Counsel are further directed to
 22 cooperate in preparing the final pretrial order in the format required by CR 16.1, except
 23 as ordered below.

24 The original and one copy of the trial exhibits are to be delivered to chambers five
 25 days before the trial date. Each exhibit shall be clearly marked. The Court hereby alters
 26 the CR 16.1 procedure for numbering exhibits; plaintiff's exhibits shall be numbered
 1 consecutively beginning with 1; defendant's exhibits shall be numbered beginning with
 2 500. Duplicate documents shall not be listed twice; once a party has identified an exhibit
 3 in the pretrial order, any party may use it. Each set of exhibits shall be submitted in a
 4 three-ring binder with appropriately numbered tabs.

5 Should this case settle, counsel shall notify Deputy Clerk, Kelly Miller, at
 6 kelly_miller@wawd.uscourts.gov. Pursuant to CR 3(b), an attorney who fails to give
 7 prompt notice of settlement may be subject to such discipline as the Court deems
 8 appropriate.

9 DATED November 20, 2024

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GRADY J. LEUPOLD
 United States Magistrate Judge